

Received & Inspected

APR 28 2009

FCC Mail Room

Office of the Secretary  
Federal Communications Commission  
Attention: CGB Room 3-B431  
445 12th Street SW  
Washington, DC 20554

## **Petition for Exemption from Closed Captioning Requirements**

### **Introduction**

**Describe the background of the church:** New Hope Covenant Christian Fellowship

Center Incorporated is a non-denominational Christian Church founded by Pastor Sid and Daisy Whitfield in 2000. It has grown from a three member family to a growing congregation.

**Describe the program generally:** "Following Christ will Lead you to God" Program is geared to help the broken-hearted, to empower the lost that they may obtain heavenly gain through watching examples of Holy and righteous living.

**Describe the program specifically:** "Following Christ will Lead You to God" is a 30 minute spiritual program that airs once a week on WFXL Fox 31, Sunday's at 8:00 a.m. The program is produced in house by New Hope Covenant Production Team which is made up of members that volunteer their time to create the show. The demographics of the program are anyone who watches the program in the Albany viewing area who wants to have a life-changing experience.

For the reasons set forth below, New Hope Covenant Christian Fellowship Center, Inc., hereby requests an undue burden exemption from the closed captioning rules for "Following Christ will lead you to God", pursuant to § 79.1(f) of the Commission's rules.

### **Nature and Cost of Closed Captions**

**Provide details on the cost of closed captions:**

In addition to local production costs of approximately \$380 a month, our monthly broadcasting cost is \$800 per month to WFXL Fox 31. Captioning would cost \$940.00 per month.

**If you have considered and rejected alternatives to closed captions:**

It is a preached sermon that is unscripted. No text is available.

### **Impact on the Operation of the Program Provider**

**Describe the impact that these costs would have on the program:**

The cost of captioning the program would cost more per month than broadcast fees of airing the show. We would be unable to broadcast the program. This additional cost would also severely limit our ability to provide assistance to our members and other persons in need of food, shelter or utilities.

### **Financial Resources of the Program Provider**

**Explain the financial position of the church:**

New Hope Covenant Christian Fellowship Center operates primarily on member's tithes and offerings, fundraisers and benevolent fund.

We are doing this entry level and trusting God for an increase.

## **Type of Operations of the Program Provider**

Describe the operations of the church: New Hope Covenant Christian Fellowship Center is a non-profit religious organization consisting of church services, benevolence ministries, youth ministries, single ministries, women and men ministries and outreach ministries.

## **Other factors**

[If program is aired on one station only and otherwise meets the requirements of the local, non-news exemption, include this paragraph:] Petitioner believes that the local, non-news exemption to the closed captioning rules also applies to [Following Christ will lead you to God].<sup>1</sup> As noted above, the program is produced and distributed locally, and the sermons of [New Hope Covenant Christian Fellowship Center] are of primarily local public interest. The episodes are not news, they do not have repeat value, and the electronic newsroom technique is not available. Notwithstanding the applicability of the exemption, we have filed this petition in abundance of caution and for the purpose of establishing certainty.

## **Conclusion**

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under §

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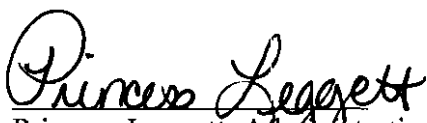
<sup>1</sup> This exemption is self-implementing, and therefore Petitioner notes its applicability without expecting or requesting FCC action on it.

79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

New Hope Covenant Christian Fellowship Center

By:

A handwritten signature in cursive script that reads "Princess Leggett".

Princess Leggett, Administrative Secretary

111 North Alabama Street

P.O. Box 91

Broxton, GA 31519

912-359-2396

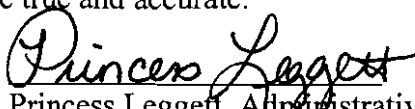
912-327-2090

Dated: 4-27-09

Exhibits checklist:

1. Declaration: attach a declaration in which a person attests to and affirms the factual claims made in the petition. The declaration should state that:

I, [Princess Leggett], am [Administrative Secretary] of [New Hope Covenant Christian Fellowship Center], and I have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of [New Hope Covenant Christian Fellowship Center] in this matter, and, upon information and belief, believe the statements regarding our organization and [Following Christ will lead you to God] to be true and accurate.



Princess Leggett, Administrative Secretary

4-27-09

Date

2. Schedule of all programming offered by the provider: if the church provides only one program, this will be a very short attachment.
3. Financial documentation: include the most recent tax returns or balance sheets, tax exempt certificate, and documentation indicating the total cost of production of the program and gross receipts from the program. Remember to redact social security numbers and employee identification numbers, as the entire petition – including attachments – will be made available for public inspection.
4. Other: letters from companies providing estimates for closed captioning costs.

SCHEDULE OF PROGRAMMING:

NHCCFC produces only one program "Following Christ will lead you to God" it airs on the Fox affiliate WFXL-UHF31 on Sundays at 8:00 a.m.

Princess Leggett – NHCCFC Administrative Secretary

New Hope Covenant Christian Fellowship Church  
Income and Expense Statement  
January 2009-April 2009

<b>INCOME</b>	
Offerings	\$15,600.00
Tithes	\$28,000.00
Totals	\$43,600.00

<b>EXPENSES</b>	
Pastor Salary	\$8,400.00
Mortgage	\$10,000.00
Vehicles	\$3,000.00
Insurance	\$2,600.00
Utilities	\$2,500.00
Music	\$2,000.00
Outreach	\$3,000.00
Ministry Expense	\$5,000.00
Miscellaneous Expense	\$8,000.00
Total Expenses	44,500.00

<b>EXCESS INCOME/EXPENSES</b>	-900.00
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#4

**From:** Justin K. Macedonia [mailto:jkmacedonia@vicaps.com]  
**Sent:** Monday, June 04, 2007 10:37 AM  
**To:** pcoffman@wfxl.com  
**Subject:** Closed Captioning Quote

Pat,

It was a pleasure speaking with you.

As discussed, our price to close caption the 30-minute program we discussed would be \$235. This price includes transcription, Basic Roll-up style captions, encoding to DVCPRO, tape stock, and a three business day turnaround. Faster turnarounds (including same day) are available at additional charge.

If you have any questions, please don't hesitate to contact me.

Thanks,  
Justin

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Justin K. Macedonia  
Video Caption Corporation  
800-705-1203 (phone)  
845-868-1188 (fax)  
[jkmacedonia@vicaps.com](mailto:jkmacedonia@vicaps.com)  
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